

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JERROD B HORTON,

Petitioner,

Case No. 20-cv-1658-bhl

v.

EARNELL R LUCAS,

Respondent.

ORDER

On November 2, 2020, Jerrod B. Horton filed his petition for writ of habeas corpus pursuant to 28 U.S.C. §2241, alleging violations of his rights under the Sixth Amendment to a speedy trial. (ECF No. 1.) The Court screened his petition on December 8, 2020 and ordered respondent to answer or otherwise respond. (ECF No. 5.) On December 21, 2020, respondent timely filed an answer to Horton's petition, but failed to include a certified proof of service of the answer upon Horton. (ECF No. 6.) The Court allowed Horton until January 6, 2021 to file a reply to the respondent's answer if he wished. (ECF No. 7.) On December 28, the Court received an ambiguous letter from Horton requesting information on the outcome of the screening order. (ECF No. 8.) Horton has not yet filed a reply.

Given the lack of proof of service of the respondent's answer and Horton's ambiguous letter, it is unclear whether Horton has received respondent's answer. Accordingly, the Court will order the respondent to file proof of the original service of the answer on Horton. Also, for the avoidance of doubt, the Court will also require respondent to re-serve a copy of the answer and will allow Horton additional time to reply, if he wishes to do so. Accordingly,

IT IS HEREBY ORDERED that respondent must re-serve his answer, ECF No. 6, upon Horton and file proof of service on or before **February 5, 2021**.

IT IS FURTHER ORDERED that Horton will have fourteen days from the date of re-service to reply to respondent's answer if he wishes to do so.

Dated at Milwaukee, Wisconsin on January 29, 2021.

s/ Brett H. Ludwig

BRETT H. LUDWIG
United States District Judge